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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/535,241

05/18/2005

Naoki Hashiguchi

025260-095

5731

21839 7590 02/16/2007
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EXAMINER

MATTHEWS, TERRELL HOWARD

ART UNIT

PAPER NUMBER

3654

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/535,241	HASHIGUCHI, NAOKI	
	Examiner	Art Unit	
	Terrell H. Matthews	3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 10-16 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 and 12-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 10, 11 and 16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/18/2005, 3/17/2006, 11/17/2006.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-11, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US-6247557) in view of Abe (US-7117977).

Referring to claims 10-11. Kobayashi discloses a "Traction Type Elevator Apparatus". See Figs. 1-29 and respective portions of the specification. Kobayashi further discloses a first and second driving machine (2A,2B) having a first and second drive sheave (1A,1B) , the first and second driving machine disposed in an upper portion of the hoistway; a car (4) raised and lowered inside the hoistway by a driving force from the first and second driving machines, a counterweight (6) raised and lowered inside the hoistway by a driving force from the first and second driving machines; suspending means (7A,7B) wound around the first and second drive sheaves, the suspending means suspending the car and the counterweight inside the hoistway; a first car return pulley (8ha) disposed in an upper portion of the hoistway, the first car return pulley directing the suspending means from the first drive sheave to the car; a second car return pulley (8hb) disposed in an upper portion of the hoistway, the second car return pulley directing the suspending means from the second drive sheave to the car; a first deflection pulley (8ia) disposed in an upper portion of the hoistway, a

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portion of the suspending mean between the first drive sheave and the first car return pulley being wound around the first deflection pulley, a second deflection pulley (8ib) disposed in an upper portion of the hoistway, a portion of the suspending means between the second drive sheave and the second car return pulley wound around the second deflection pulley, wherein the first and second driving machines are disposed horizontally such that axes of rotation of the first and second drive sheave extend vertically (See at least Col. 13 l. 15-65 & at least Fig. 13). Kobayashi does not disclose a first and second counterweight return pulley disposed in an upper portion of the hoistway. Abe discloses an "Elevator Apparatus Including Car With Suspending Pulley Devices". See Figs. 1-11 and respective portions of the specification. Abe further discloses a first and second counterweight return pulley (42,43) disposed in an upper portion of the hoistway, wherein the first and second counterweight return pulley's direct the suspending means from the first and second drive sheave to the counterweight (See at least Fig.10). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Kobayashi to include the teachings of Abe and include first and second counterweight return pulley's disposed in an upper portion of the hoistway so that spaced could be saved and so that it was easier to connect to the first and second drive sheave to achieve better contact angles that would provide more efficient operation and less wear and tear on the suspending ropes.

Referring to claim 16. Kobayashi discloses the apparatus as discussed above in detail. Kobayashi further discloses a control apparatus for controlling the first and

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second driving machines by operating modes including a double operating mode in which the first and second driving machines are both driven simultaneously (See at least Col. 13 l. 29-41). Kobayashi does not explicitly disclose a single operation mode in which only one of the first and second driving machines is driven. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the apparatus of Kobayashi so that a single operating mode in which only one of the first and second driving machines is driven to put less wear and tear on both motors, during times of light loads and to help prevent excessive use. It should further be noted that the applicant has not disclosed that a single operating mode in which only one of the first and second driving machines is driven solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well in the double operating mode in which both were driven simultaneously.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Terrell H. Matthews whose telephone number is (571)272-5929. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

THM


GENE C. CRAWFORD
SUPERVISORY PATENT EXAMINER